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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. MJ 11-339
10 v.)
11 ROGELIO CARPIO,) DETENTION ORDER
12 Defendant.)
13 _____)

14 Offense charged: Distribution of Methamphetamine

15 Date of Detention Hearing: December 2, 2011.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
18 that no condition or combination of conditions which defendant can meet will reasonably
19 assure the appearance of defendant as required and the safety of other persons and the
20 community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. The defendant has a rape conviction in Los Angeles, California, and a Robbery,
04 2nd degree conviction in Snohomish County. He has been convicted for failure to register as a
05 sex offender in Snohomish County, and he failed to appear at a court hearing on a petition to
06 revoke/modify his probation, resulting in a warrant being issued late in 2010.

07 3. On advice of counsel, defendant declined to be interviewed by Pretrial Services.
08 Defendant's ties to this district are unknown and he has a history of failing to appear for court
09 proceedings. He is allegedly homeless, and there is no information available as to his income or
10 financial assets.

11 4. Taken as a whole, the record does not effectively rebut the presumption that no
12 condition or combination of conditions will reasonably assure the appearance of the defendant
13 as required and the safety of the community.

14 It is therefore ORDERED:

- 15 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
16 General for confinement in a correction facility separate, to the extent practicable, from
17 persons awaiting or serving sentences or being held in custody pending appeal;
- 18 2. Defendant shall be afforded reasonable opportunity for private consultation with
19 counsel;
- 20 3. On order of the United States or on request of an attorney for the Government, the
21 person in charge of the corrections facility in which defendant is confined shall deliver
22 the defendant to a United States Marshal for the purpose of an appearance in connection

01 with a court proceeding; and

- 02 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
03 for the defendant, to the United States Marshal, and to the United State Pretrial Services
04 Officer.

05 DATED this 2nd day of December, 2011.

06 s/ Dean Brett
07 United States Magistrate Judge
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